

Practitioner's Docket No. U 013897-6

*2122 #5
BT*
12.11.02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

Inventor(s)

for

Title of invention

RECEIVED

DEC 06 2002

Technology Center 2100

In re application of: David CROCKER
Serial No.: 10/091,124
Filed: March 5, 2002
For: PROCESS AND SYSTEM FOR VALIDATING A COMPUTER PROGRAM SEGMENT

Group No.: 2122
Examiner:

OR

Assistant Commissioner for Patents
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

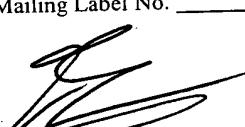
37 C.F.R. 1.10*

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Signature
WILLIAM R. EVANS
(type or print name of person certifying)

Date: December 2, 2002

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

WARNING: *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

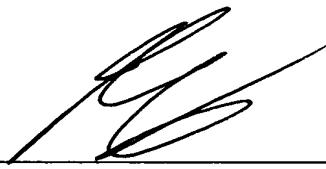
NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).



SIGNATURE OF PRACTITIONER

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David CROCKER

Serial No.: 10/091,124

Group No.: 2122

Filed: March 5, 2002

Examiner.: -

For: PROCESS AND SYSTEM FOR VALIDATING A COMPUTER PROGRAM
SEGMENT

Attorney Docket No.: U 013897-6

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Technology Center 2100

Sir:

INFORMATION DISCLOSURE STATEMENT

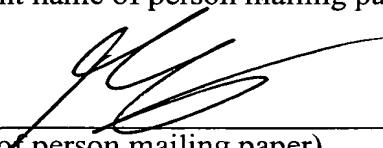
We draw the attention of the Examiner to the attached English-language version of a Search Report from a foreign office in respect of counterpart GB priority Application No. 0105733.0 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

William R. Evans
Type or print name of person mailing paper)

Date: December 2, 2002


(Signature of person mailing paper)

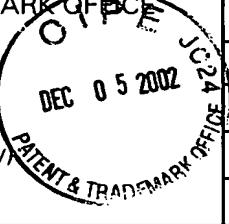
Form PTO-1449 is attached with reference copies.

Respectfully submitted,



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FORM PTO-1449		U. S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.	SERIAL NO.	
				U 013897-6	10/091,124	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT		
(Use several sheets if necessary)				David CROCKER		
		FILING DATE	GROUP			
		March 5, 2002	2122			
REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS		

EXAMINER INITIAL		DOCUMENT NUMBER		DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA							
	AB							
	AC							
	AD							
	AE							
	AF							
	AG							
	AH							
	AI							
	AJ							
	AK							

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER		DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION		
		0	7	9	4	4	8	9	YES	NO
	AL	0	7	9	4	4	8	9	9/1997	EP
	AM	6	0	1	1	8	9	3	5	6/1985
	AN									
	AO									
	AP									

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AR	ENGLISH TRANSLATION OF ABSTRACT AND TITLE OF EP 0794489 DATED SEPTEMBER 10, 1997
	AS	ENGLISH TRANSLATION OF ABSTRACT AND TITLE OF JP60118935 DATED JUNE 26, 1985
	AT	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.